

BAKER
&
HOSTETLER LLP
COUNSELLORS AT LAW

WASHINGTON SQUARE, SUITE 1100 • 1050 CONNECTICUT AVENUE, N.W. • WASHINGTON, D.C. 20036-5304 • (202) 861-1500
FAX (202) 861-1783

KENNETH C. HOWARD, JR.
WRITER'S DIRECT DIAL NUMBER (202) 861-1580
E-MAIL: KHOWARD@BAKERLAW.COM

November 30, 2005

VIA HAND DELIVERY AND ECFS

Marlene Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: **TELEVISION STATION SECTION 339(a)(2)(D)(vii) WAIVER REQUEST**
MB Docket No. 05-317
Scripps Howard Broadcasting Company
WCPO-DT, Cincinnati, OH (Facility ID 59438)

Dear Ms. Dortch:

Scripps Howard Broadcasting Company, licensee of broadcast television station WCPO-DT, Cincinnati, Ohio, hereby respectfully requests a waiver as contemplated by Section 339(a)(2)(D) of the Satellite Home Viewer Extension and Reauthorization Act of 2004, 47 U.S.C. § 339(a)(2)(D), to prevent digital signal testing intended to establish eligibility to receive distant digital network signals from satellite carriers.

This waiver is sought pursuant to Section 339(a)(2)(D)(vii)(IV), on the ground that "the station experiences a substantial decrease in its digital signal coverage area due to the necessity of using a side-mounted antenna." The attached Engineering Statement prepared by John F.X. Browne & Associates, P.C., provides the necessary supporting documentation.

Accordingly, Scripps Howard Broadcasting Company respectfully requests that the FCC grant the foregoing request for waiver. If further information is required, please contact the undersigned.

Sincerely,



Kenneth C. Howard, Jr.
Counsel to Scripps Howard Broadcasting Co.

Ms. Marlene Dortch
November 30, 2005
Page 2

Attachment

cc: Nazifa Sawez, FCC (Room 2-A726)
WCPO Public Inspection File